



## KAHALUU NEIGHBORHOOD BOARD NO. 29

*(Heeia Kea, Ahuimanu, Kahaluu, Waihee, Kaalaea, Waiahole, Waikane, Hakipuu, Kualoa)*

c/o KEY PROJECT • 47-200 WAIHEE ROAD • KANEOHE, HAWAII, 96744  
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

*"LET US NOT EVER HAVE AN UNHAPPY MINORITY; RATHER, LET US BUILD A COMMUNITY CONSENSUS."*

### **REGULAR MEETING MINUTES WEDNESDAY, FEBRUARY 8, 2006 KEY PROJECT**

**CALL TO ORDER: 7:00 p.m.** - There being no quorum at this time the Informational Session reports were given.

**MEMBERS PRESENT:** Robert Cappella, Emil Wolfgramm, Moana Lee, Leialoha "Rocky" Kaluhiwa, Arthur B. Machado, Jr., Kurt Mench, Wayne K. Panoke, Daniel Bender, Kenneth LeVasseur, Amy Luersen, Rich Vermeesch.

**MEMBERS ABSENT:** George Okuda, Morris Graham, and John Michael Piper.

**GUESTS:** Grant Kawaguchi (Council Chair Donovan Dela Cruz's Office), Captain William Ralston (HFD – Kahalu'u Station), Bobby Fernandez (DLNR - DOCARE), Bob Masuda (Governor's Representative/DLNR-DOBOR), Thomas Kaaiai (Kamehameha Schools), Watson Okubo (DOH/CWB), Peter & Ben Field (GFN), Ned Busch, Tom Jenny, Jim Wood (WAA), Yvonne Kearns (U.S. Congressman Ed Case's Office), James Myers, Jim Howe (Ocean Safety), Elwin Spray, Bob Nakata, Garrett Toguchi (Senator Clayton Hee's Office), Barry Usagawa (Board of Water Supply), D. Keala Naluai (Malama O Kamalii), Lt. Finn (HPD – Kaneohe Station), Mr. Renoir, Roosevelt Freeman (Representative Colleen Meyer's Office), Nola Frank (Neighborhood Commission Office staff).

Having no quorum at this time, the Informational Session Reports were given.

#### **INFORMATIONAL SESSION:**

**HONOLULU FIRE DEPARTMENT** – Captain William Ralston reported statistics for the month of January included 9 fires and 28 emergency responses. Fire Safety Tip – Every home should have a working smoke detector installed near each sleeping area and on every level. Since cooking vapors and steam can set off a smoke detector, the detector should be located away from the kitchen or bathroom. Wall-mounted detectors should be positioned 4 to 12 inches below the ceiling and away from the air vents. Results of a survey conducted of 80,000 elementary school students, in which 48,000 responded, were that 87% of the homes had smoke detectors and 2% were not certain whether one existed. Of the 87% surveyed, 67% of the families tested their detector that month and only 71% of smoke detectors were operational. The survey enforced HFD's belief that "Every home should have a WORKING smoke detector installed near each sleeping area and on every level."

Captain Ralston was thanked for attending the meeting.

**HONOLULU POLICE DEPARTMENT** – Lt. Finn reported statistics for last month included: burglary 11, other property thefts 15, thefts from vehicle (UEMV) 14, robbery 0, and auto/motorcycle theft 4. The annual comparison statistics indicate that crime is above last year.

Questions, answers and comments followed:

- 1) In response to an inquiry about changes to police officers' schedules, they are currently on a 3/12 schedule (3 weeks of 3 days with 12 hour shifts, and a 4 day week of 8 hours shifts).
- 2) Cappella reported criminal activity at the south end of Waiahole Beach Park, where people are entering the park around the barriers. Constituents also informed him that they smell "ice" being cooked in the early morning hours. Lt. Finn replied that 911 should be called. Cappella mentioned that several calls to



the 911 dispatchers asked him if this was an emergency. His opinion is that the 911 systems are not working.

Cappella left the meeting at this time.

- 3) The Lt. Finn answered that calls are graded according to priority. He stated that is why HPD is pushing for the 311 non-emergency phone line to pass legislation, which would free up the 911 lines for greater emergencies. Everyone was urged to continue to call 911.
- 4) Resident Bobby Freitas thanked HPD for diligently checking the school and the Waiahole Valley area.
- 5) A brochure on "What You Need to Know about Hawaii's Graduated Licensing Program" was available for interested persons.
- 6) Kaluhiwa thanked HPD for the increased patrols along Kamehameha Highway past the pier, resulting with less people sleeping in their cars at night.

Lt. Finn was thanked for attending the meeting.

Mench arrived at this time. A quorum of eight Board members were now present

**CALL TO ORDER:** With a quorum now present, Secretary Daniel Bender called the meeting to order at 7:14.p.m

**MARINE CORPS BASE HAWAII** – Sarah Fry reported the following:

- 1) The Marine Forces Pacific Band will participate in the following events: a) 10 Feb – Pro Bowl Festival at Kapiolani Park, 12:00 p.m.; b) 14 Feb – Castle High School Performance/Clinic at 1:30 p.m.; c) 15 Feb – Castle High School Performance/Clinic at 5:30 p.m.; d) 17 Feb – MCBH Colors Ceremony, 8:00 a.m. at Dewey Square; e) 20 Feb – Great Aloha Run, 6:00 a.m. at the Aloha Stadium.
- 2) MCAF Aircraft Activity: a) On-going operations – Large military or contracted aircraft will come and go from the Marine Corps Air Facility (MCAF) at MCBH, picking up deploying Marine units/detachments and returning others from deployment. Some of this support will require the MCAF to extend its hours of operation to accommodate arrivals/departures.
  - o KC-135's from 64<sup>th</sup> ARS Squadron in Portland, Oregon, conducting monthly training within the Hawaiian operations area
  - o 10-23 Feb: Ten F/A -18D's ("Hornets") from VMF-242, at MCAF for joint training with the Hawaii National Guard.
  - o 20-27 Feb: Six A-8B's ("Harriers") from VMA-214 at MCAF for 11<sup>th</sup> Marine Expeditionary Unit (MEU) training operations.
- 3) Upcoming Events:
  - ❖ 8-12 Feb – Pro Bowl Week Schedule. Visit <http://www.nfl.com/probowl/public> for details.
  - ❖ 10 Feb. – National Youth Fitness Test – About 125 students from ten O'ahu high schools are aboard MCBH, will participate in the NYFT at Pop Warner Field 8 a.m. to 1 p.m.
  - ❖ 21 Feb. – Windward Civilian-Military Council meeting at 11:30 a.m.

Questions, answers and comments followed:

- 1) Regarding the makahiki season scheduled for March 10 to 13, 2006, Donna Campbell provides a list of attendees one week prior to the event to MCBH. The canoe greeting ceremony is scheduled for March 10 at 9:00 a.m.
- 2) Sarah Fry was thanked for attending the meeting.

Wolfgang and Luersen arrived during the above portion of the meeting (10 members present).

Secretary Daniel Bender relinquished the gavel to Vice Chair Amy Luersen to resume the agenda.

**BOARD OF WATER SUPPLY (BWS) – Barry Usagawa reported the following:**

- 1) No water main breaks in the month of January.
- 2) O'ahu pumpage week ending January 25, 2006 was 140 million gallons daily.
- 3) BWS has announced the 2006 Water Conservation Week Poster Contest for all O'ahu students in kindergarten through 6th grade. Deadline for poster entries is Thursday, March 9. This year's theme is "Each and Every Day I Save Water My Way." For more details log on to [www.boardofwatersupply.com](http://www.boardofwatersupply.com) or call the Communications Office at 748-0541.
- 4) March 5-11 is Detect-A-Leak-Week on the island of O'ahu. BWS is asking everyone to check for leaks at home and work. Promotional fliers and Leak detection dye tablets for toilets will be available at the BWS on Beretania Street, various hardware stores, and all satellite city halls. Entry forms are available on the flyer to qualify for a free water audit.
- 5) Water Saving Tip – Not turning off the water as you brush your teeth can use as much as four gallons of water each time!

Barry Usagawa was thanked for attending the meeting.

**APPROVAL OF THE REGULAR MEETING MINUTES OF JANUARY 11, 2006:** The following corrections/additions were made:

- Page 5, Questions, answers and comments 3 should read, "...Kaluhiwa asked **why** the access driveway to the old fishpond could be cleaned-up..."
- Page 5, Questions, answers and comments 6 should read, "...Luersen asked **for clarification of what would make** the shuttle legal..."
- Page 5, Questions, answers and comments 9 should read, "...Luersen stated that **Ahu O Laka** is crucial for the community..."
- Page 1, first bullet, second sentence should read, "...He expressed concern that the City Council and Mayor failed the Board because the Department of Transportation Services decided to install the **three phase light** without consulting with this Neighborhood Board..."

**Machado moved, and seconded by Kaluhiwa to accept the January 2006 regular meeting minutes as amended. The motion carried 9-0-1, with Mench abstaining.**

**TREASURER'S REPORT –** Treasurer Vermeesch said that the January report was not available. He mentioned that at last month's meeting and on a few other occasions the restrooms at this facility were locked. John Reppun, of KEY Project, informed him that steps would be taken to always have a key available.

**KANEOHE BAY REGIONAL COUNCIL -** No representative present

**ELECTED OFFICIALS:**

**MAYOR'S REPRESENTATIVE –** Wayne Panoke reported the following:

- 1) King Intermediate School Stoplight Warrants – The Department of Transportation Services (DTS) informed Ken LeVasseur (Board Transportation Committee Chair) on February 2, 2006 that he might view the warrants (criteria requirements) at their office.
- 2) Kahu'u Regional Park – It was suggested that part of a community campaign could be hindering vandalism at this park.

Questions, answers and comments followed:

- 1) LeVasseur acknowledged that he did receive a call from DTS informing him that he could review the warrants at their office. When he mentioned that due to his work schedule that might not be possible, he was told today that he could purchase copies of the warrants. LeVasseur expressed concern that being that the Board is advisory and comes under the City, why would he have to pay for the copies. He suggested that the copies could be paid for by the Board's allotted funds.
- 2) Kaluhiwa asked why the gate to the canoe halau is not up yet. She was asked to fill out a Mayor's concern form for follow up. Machado said that he brought this issue up three months ago on behalf of the canoe club. Panoke will follow up and communicate with Machado. If this issue is not resolved it will be placed on the March agenda.
- 3) Vermeesch commented that he went to the Windward Mall Satellite City Hall on a Saturday to renew his driver's license, which took only five minutes.
- 4) Mench related that a meeting was held last year regarding the canoe halau. A gate was wrongly installed at the entrance, not the twenty-foot setback as agreed upon, making it difficult for cars, canoe trailers, etc. to enter the parking lot. The gate was then removed and a new gate was to be incorporated with the parking lot design.

Wayne Panoke was thanked for his report.

**GOVERNOR'S REPRESENTATIVE** – Bob Masuda distributed the Governor's weekly report and reported the following:

- 1) The large abandoned vessel at Heeia Kea Pier has been removed.
- 2) The Boating Ocean Recreation Division (DOBOR) is working on removing derelict vehicles on Kaneohe Bay.
- 3) Regarding Lot 79 located in Waiahole Valley, the Housing and Community Development Corporation of Hawaii is working with the landlords.
- 4) A concern expressed last month about all terrain vehicles going through Waikane Stream on the weekends, the stream belongs to the City who is aware of the problem. It was recommended to call 911 when one witnesses violators.
- 5) Ahu O Laka Issue – The Historic of Preservation Division of the Department of Land and Natural Resources is doing more research on the area using the old documents. Ahu O Laka is listed as a hula heiau.

Questions, answers and comments followed:

- 1) Follow up will be done by DOBOR regarding a possible illegal kayak business at Kaneohe Bay.
- 2) In response to Panoke, Senator Hee's legislation relative to Ahu O Laka become a state monument would clarify the area.
- 3) Kaluhiwa asked if the opening side road to the old fishpond at Heeia State Park would allow public access in the future.
- 4) A question was posed if kayak rentals are considered business in Kaneohe Bay. It was also mentioned that someone put up kayak rental poster, but removes them. Tourists do inquire around the bay as to where the kayak rentals stands are. LeVasseur requested if information about the difference between a derelict and abandoned boat could be sent to his Transportation Committee via the Board.

Bobby Fernandez, of the Department of Land and Natural Resources, Department of Conservation and Resources Enforcement (DOCARE) was available for questions.

- 1) Kaluhiwa mentioned that her Hawaiian Civic Club drafted a letter to the legislature requesting for more funding to hire at least two more DOCARE officers. She requested that the Board also draft a letter to the legislature on behalf of DOCARE due to the shortage of officers. Vice Chair said this item must be placed on the agenda. Responding to this concern of the shortage of DOCARE enforcement officers, Fernandez said the they are now down to four officers who cover the areas from Makapuu to Kawela Bay, to three miles out to sea. The reason is that another unit from this division was formed to go specifically to problem areas. He said he thinks this unit is working. This unit does night work and covers small piers and harbors.
- 2) To report illegal activities call the DOCARE office at **587-0077**, between 7:45 to 4:30 and leave a message on the recorder. Applications are now being accepted for part-time student workers. DOCARE is in the process of hiring more people.
- 3) DOCARE plans are to be more pro-active with thrill craft dealerships by education and enforcing the rules. Thrill craft business who violate will be first given a verbal warning, followed by a written warning, and finally given a citation.
- 4) The Board was given a copy of a DOBOR notice to be posted at Heeia Kea Boat Harbor stating: Attention All Thrill Craft and High Speed Water Activities: Thrill craft (jet skis), water skiing and water sledding are prohibited at Ahu O Laka (sandbar). This area is a **"Slow-No-Wake"** zone. The Board agreed that this flyer be attached with the March mail out.
- 5) Kaluhiwa was informed that money has been allotted for the refurbishing of the storage area to be used as an office for DOCARE workers at Heeia State Park.
- 6) Fernandez explained that harbors takes up forty percent of DOCARE officers' time. The problem is when violations occur there are no witnesses. Plans are to contract a private security company to assist the officers at the harbors, so that the officers can focus on natural and cultural resources.
- 7) Resident Naluai mentioned that there is a bill out in support of DOCARE and Ahu O Laka.
- 8) Kaluhiwa thanked DOCARE for the jet skis no zone at Ahu O Laka. Fernandes noted that DOCARE jurisdiction is from the mountain to the ocean.
- 9) Mench suggested that the entire central shallow flat area be added to the flyer (behind Kapapa sandbar in between the two channels).

Bob Masuda and Bobby Fernandez were thanked for attending the meeting.

**U.S. CONGRESSMAN ED CASE** – Yvonne Kearns distributed three handouts: 1) Quadrennial defense report highlights Hawaii's growing role in nation's defense; 2) A schedule of statewide workshops to help groups apply for Native Hawaiian Education Program grants; and 3) A Talk Story with Congressman Ed Case schedule. She was available for questions.

Yvonne Kearns was thanked for attending the meeting.

Without objections, the agenda was taken out of order to Agenda item 2, Vacancy.

**VACANCY, ONE (1) SEAT, SUBDISTRICT 6, HUI IWA LOOP** – There were no interested persons present to fill the vacancy.

**COUNCIL CHAIR DONOVAN DELA CRUZ** – Grant Kawaguchi distributed the Council Chair's monthly report and highlighted/added the following:  
Council Chair Dela Cruz introduced the following:

- Resolution 06-031 urges the City Administration to identify city lands and properties available and suitable for the development of low-income rental housing or transitional shelters for the homeless.
- Resolution 06-032 recognizes the historic and cultural significance of the plantation era, and expresses the City Council's support for the preservation of residential homes in former plantation owned housing areas.
- Resolution 06-033 proposes an amendment to the City's subdivision ordinance allowing the establishment of plantation community subdivisions in current or former sugar or pineapple plantation communities, including those in Kahuku, Poamoho and Waialua.
- Along with Councilmember Kobayashi introduced Bill 3, which allows an owner of property used as low-income rental housing to be granted an exemption from real property taxes for the next tax year equal to 20% of the grossed assessed valuation of each property dedicated as low-income rental housing. Additionally, the property-owners leasing real property to a Section 8 program participant may be granted an exemption from real property taxes for the next year equal to 100% of the assessed valuation.

City and State agencies partner to address flooding problems in Waikane – Council Chair Dela Cruz recently announced that Glad's Landscaping has started clearing overgrown vegetation in the un-named stream that runs parallel to Waikane Stream. In fiscal year 2005 Capital Improvement Project budget, Council Chair included \$250,000 for this project. He also worked with Hawaii's Congressional Delegates asking their assistance to work with the U.S. Army Corps of Engineers to coordinate efforts to develop a long-term comprehensive plan for flood remediation for the Waiahole-Waikane Valley area. Council Chair appreciates the efforts of the City Administration, State Department of Transportation, and the state Housing and Community Development Corporation for coming to the table and taking action on this project.

Over the past few weeks the City Council has been discussing several proposed measures aimed at providing O'ahu homeowners with real property tax relief. Homeowners are encouraged to follow the real property tax relief bills and testify during committee meetings and public hearings to voice your opinions.

Pipes and chain like barriers were requested for Kahalu'u Regional Park.

Questions, answers and comments followed:

- 1) Kawaguchi informed LeVasseur that a memo would be sent to the Department of Transportation Services (DTS) for a copy of the warrants and a copy would be provided to him. Also, requested of DTS is to conduct another study fronting King Intermediate School including the surrounding area
- 2) In response to Mench, Luersen mentioned that Section 8 is a federal program.
- 3) Wolfgramm pointed out that the un-named stream has a name, and it can be found in the Waiahole Beach Park planning plan report.

**REPRESENTATIVE COLLEEN MEYER** – Roosevelt Freeman distributed Representative Meyer's monthly report and highlighted/added the following:

Representative Meyer introduced the following:

- HB 2227, Tip Credit - Raises the minimum wage tip credit for tipped employees and establishes that hourly wage of a tipped employee is deemed to be increased on account of tips if the employee is paid less than \$1 in 2007 and less than \$1.75 in 2008.
- HB 2228, Pornography – Makes it a class C felony to commit the offense of promoting pornography within 1,000 feet of a school campus or public park.
- HB 2229, Early Parole – Establishes an earned-time program providing incentives for inmate rehabilitation in which inmates may earn reductions in the minimum term of imprisonment set by the Hawaii Paroling Authority by making consistent progress in a variety of areas.
- HB 2230, Identity Theft – Proposes measures to combat identity theft.
- HB 2231, Crimes Against Unborn Children – Creates new criminal offenses of murder, voluntary manslaughter, involuntary manslaughter, and battery of an unborn child.
- HB 1665, CIP 47<sup>th</sup> District – Capital Improvements for the 47<sup>th</sup> Representative District.

Roosevelt Freeman was thanked for attending the meeting.



**SENATOR CLAYTON HEE** – Garrett Toguchi distributed Senator Hee's monthly report and highlighted/added the following:

- 1) Senate Bill 2006, prohibiting the sales of opihi was heard today in the Senate Committee on Water, Land and Agriculture (WLA). If this bill is approved it moves on to the Senate Committee on Judiciary and Hawaiian Affairs. The popularity of this delicacy has led to over-harvesting on the island of O'ahu and has made the opihi difficult to find on the neighbor islands. This ban on sales would not affect the local practice of picking opihi for our own meals and special gatherings.
- 2) Senate Bill 2004, relating to historic preservation, is known as the Ahu O Laka bill. This bill proposes to designate Ahu O Laka as a state monument and to restrict certain activities there. The bill was introduced as a means to protect Ahu O Laka and restore its dignity. Designating it as a state monument will not restrict visitors, but provide the state Department of Land and Natural Resources with the ability to establish rules to protect the site.
- 3) Senate Bill 2647, relating to the sale of indecent materials will prohibit the display or sale of sexually explicit matter within 500 feet of a school between the hours of 6:00 a.m. and 6:00 p.m.
- 4) Senate Bill 2736, relating to vehicles, was introduced to a constituents' concern that the City will not remove abandoned vehicles on private roadways. But when the land owners' are unknown, allows a private road under these conditions to be deemed public" for the purpose of removing the abandoned vehicle.

Questions, answers and comments followed:

- 1) Luersen asked if the banning of opihi picking would include banning traditional rights. Toguchi replied that as written, the ban would only prohibit commercial picking, but testimony seemed to be moving the bill toward a total ban to allow local opihi to reproduce. He mentioned that some of the opihi sold is imported from other countries so that would continue. If passed, the bill will then go to the Judiciary Committee. Testimonies were encouraged for both pros and cons of the issue.
- 2) Relating to the removal of abandoned vehicles from private properties, resident Jim Myers thanked the Board and acknowledged aide to Council Chair Grant Kawaguchi for his efforts in sending a request for investigation and services report on this matter. The main concern of the issue was liability to the City.
- 3) Kaluhiwa asked if more funding is needed for DOCARE, and if Senator Hee will be proposing any legislation. Toguchi replied the issue comes under Senator Kokubun's committee.

Garrett Toguchi was thanked for attending the meeting.

#### **COMMUNITY CONCERNS/PUBLIC INPUT:**

**KUALOA PARK WASTEWATER SYSTEM** – Watson Okubo, of the State Department of Health Clean Water Branch (DOHCWB), circulated the Kualoa Beach Park Findings and Data w/Waste Water Branch Report, and gave the following update:

- 1) On December 3, 2005 DOHCWB posted cardboard warning signs at Kualoa Beach Park fronting Restroom No. 1 due to high indicator bacteria levels in exceedance of DOH standards. At this time CWB started in front monitoring of the other three restrooms at this beach park. CWB also requested that the Waste Water Branch (WWB) of DOH conduct an inspection of all restroom facilities at the beach park to determine if they are working properly.
- 2) Past bacteria reports of the beach monitoring station at Kualoa represented an enigma to CWB showed high spikes in bacteria levels for no explainable reasons. Dye testing of the restrooms was done with negative results. However, with increased sampling to twice a week, higher levels were noted.
- 3) In December of 1999, DOH gave approval to a private engineering firm design to centralize a wastewater system for the four restrooms, administration building, and caretaker's cottage. The project was dropped

in December 2005 because of objections from the Hawaiian community. Kualoa was in ancient times used as a warrior training ground and sacred burial sites are located throughout the park. These sites unfortunately are not marked and no one knows where they are located. To make matters worst, during WWII, the military constructed an airfield that spread from Kualoa Beach Park across Kamehameha Highway through Kualoa Ranch.

- 4) Restroom No. 3 was closed in December 2005 by the City in response to the CWB posting of warning signs. The City also capped off the inlet pipe to the existing distribution box of the leach field at Restroom No. 1 and No. 2.
- 5) In summary, the WWB noted that the Kualoa Beach Park facilities were inoperable and several violations of their Hawaii Administrative Rules were noted.
- 6) After posting of the warning signs fronting Restroom NO. 1, the CWB continued monitoring in front of all restrooms at park. The bacteria data through January 17, 2006 indicate that all waters fronting the restroom at Kualoa Beach Park exceed the DOH bacteria standards. The CWB will post metal warning signs to warn the public to stay out of the waters fronting the restrooms. CWB does not see any short-term solution to this problem and the public needs to be protected as specified under the EPA BEACH Act 2000.

Questions, answers and comments followed:

- 1) Regarding the potential for Kualoa Ranch run-off, an investigation will be conducted and results reported to the Branch Chief as soon as possible. With regards to the homes north of the park, and investigation will also be conducted to check on the types of cesspools being used
- 2) The number indicated in the report shows samples taken within a thirty-day period. The Environmental Protection Agency (EPA) propagates the rules.
- 3) Symptoms of contracting the bacteria could include runs, fever, gastric illness, etc.
- 4) Paperwork is being completed relative to citations issued to the City.
- 5) Machado commented that the issue was mentioned on KSSK news. Okubo replied that he was not there to point fingers, and that the City has been doing good improvements. Machado expressed concern that the bones are still being desecrated. He noted that the idea is to put a plan in place and to respect for the grounds.
- 6) Wolfgramm mentioned that the houses on the shore side of Kamehameha Highway have complications with the old cesspool systems. He said that testing should pinpoint the areas.
- 7) Panoke mentioned that funding has been requested in the 2007 Capital Improvement Budget (CIP). Panoke noted that the Burial Councils have mentioned about relocating the bones. Panoke also noted that Restroom No. 3 should be removed because it poses a hazard.
- 8) Regarding the issue of relocating the bones, Wolfgramm commented why should the bones have to be moved out of the ahupua'a.
- 9) In response to Lee's question, consequences to the reef from the bacteria are viruses.
- 10) Kaluhiwa mentioned that she heard that the bones (iwi) are stored in a building. Vice Chair Luersen asked Board members Panoke and Lee to bring back the plans on the wastewater issue and give an updated report to the Board.
- 11) Jim Howe, Chief of Ocean Safety, commented that when he walks away from the beach he is in agony knowing that the public is at risk. The balance to this is that the lifeguards are also exposed to these bacteria



- 12) Panoke requested that the Kualoa Beach Park Findings and Data w/Waste Water Branch Report be put on the website with the Board's minutes and agenda. There were no objections.

Watson Okubo was thanked for attending the meeting.

**WATER QUALITY CERTIFICATION, WOODS IN AHUIMANU** – Grant Kawaguchi of Chair Dela Cruz office gave the following update:

In December, Council Chair Dela Cruz met with Senator Hee and the community regarding this issue. The community members asked that a resolution be proposed by the City Council on this matter. Resolution 06-015, CD1, urges the State Department of Health (DOH) to conduct a public hearing on the application for a Section 401 Water Quality Certification by the developer of "The Woods At Ahuimanu" proposed development in Kaha'u'u. Kawaguchi said that the Board could take a position on this issue if they desired to. A public hearing is not required with this application.

Questions, answers and comments followed:

- 1) A resident mentioned that a letter from the City dated in 1982 regarding this same property states that the developer must meet certain requirements and conditions, such as hooking up a sewer line.
- 2) Mrs. Salmonson asked that due to cesspool in the area now, would the developer still be allowed to install sewage lines. Kawaguchi replied that the Council Chair has requested a copy of the application.

Bender left the meeting at this time (9 members present).

Vice Chair Luersen read the resolution to Board members and guests.

**LeVasseur moved and seconded by Kaluhiwa in support of Resolution 06-015, CD1 asking for a public hearing and all information to come forward as needed.**

Discussion followed: Panoke stated that as a Board member he supports the resolution.

**The motion carried unanimously, 9-0-0.**

**INCREASING POLICE FORCE ON THE WINDWARD SIDE, ESPECIALLY IN KAHALU'U** – Kawaguchi explained that Resolution 06-026, relating to increasing the police force, was revised to fill all positions island wide.

Discussion followed: (a) Machado commented that there has been a shortage in District 4 (Kaneohe) for many years. Positions should be filled in area with the most vacancies immediately. (b) Kawaguchi mentioned that Council Chair Dela Cruz proposed this resolution. (c) Panoke agreed with Machado on his concern and asked who decides what areas are filled. (d) In response to Lee, Kawaguchi said that the resolution already has some funded positions that are vacant. If the vacancies are filled it is hopefully that District 4 would get their share of officers, too (created and funded). (e) In response to Kaluhiwa, there are approximately 12 or 18 vacancies in the Kaneohe District 4.

**Machado moved and seconded by Panoke in support of Resolution 06-026 as stated. The motion carried unanimously, 9-0-0.**

**WAIHAOLE BEACH PARK** – Kawaguchi reported that a memo has been sent to the Department of Design and Construction (DDC) asking for a deadline extension for input and comments on the draft. There was not enough time to meet with the community for comments. They are awaiting a response from DDC.

Panoke left the meeting at this time (8 members present)

**RECOMMENDATIONS FOR LEGISLATION INCLUDING THE BUDGET SURPLUS –**

- 1) It was mentioned that the date to submit legislation has passed.

- 2) Moana Lee commented that she has attempted to call several state offices regarding the surplus, but got no answer. The reason given for late responses is that the offices are short staffed. One of the many offices short on staff is DOCARE. She suggested writing the legislators at this point asking that these positions, which are already there be filled. According to Bobby Fernandez (DOCARE), the staff is down to four officers from nine officers. Reports indicate that there is a surplus of \$300,000,000, but she does not believe this because one cannot even get basic State services.
- 3) Luersen asked if Lee knew the timing to submit the suggested budget items wish list to the legislature.
- 4) Garrett Toguchi explained that bills in the in the House and Senate are first heard in their perspective bodies committee and if the bill passes crosses over to the other side.
- 5) Resident Naluai noted that there is a bill proposed for more DOCARE officers. In relation to the bill mentioned, Toguchi noted that in the interest of time, he suggests that the Board take a position on the bill. Questions arose as to what is the Bill number. Luersen replied that no position on the proposed bill could be taken because is not on the agenda. She stated that the Board could support the concept of the DOCARE officers under this surplus list.
- 6) Machado said that a decision on this matter should be delayed because there is not enough input and the time frame is short. Luersen added that the list should have been submitted in January.

**Kaluhiwa moved and seconded by Machado that letter be drafted and sent to the Water, Land, and Agriculture Committee, as well as the House Budget and Finance Committee recommending that money from the surplus budget be used to increase the staff of DOCARE officers. The motion carried unanimously, 8-0-0.**

Luersen asked Kauhiwa and Lee to draft the letters with copies to the Governor and DLNR; and both agreed.

**REMOVAL OF BUS STOP AT 47-769 KAMEHAMEHA HIGHWAY** – Lee reported the bus stop is located on the corner of Kamehameha Highway and Pulama Road. She received a letter from constituents Mr. and Mrs. Shigeo Furukawa, per the advice of TheBus general information spokesperson regarding this bus stop. The Furukawa's are requesting the Board's assistance in having this bus stop relocated from its current stop fronting their house. In the past years, incidents have occurred where people waiting for the bus climb over his six-foot wall and trespasses onto the property taking items left in the yard. Another incident happened when a stranger entered their kitchen through an unlocked door with a loaded gun while they were having breakfast. However, no one was harmed and the police arrested the suspect. To date these incidents continue to occur when people waiting for the bus climb over the wall and trespasses. Another concern was cracks in Mr. Furukawa's concrete driveway have appeared. It was suggested that someone investigate these cracks in the concrete.

Discussion followed: (a) Lee explained that although the cracks to the driveway are on private property, Mr. Furukawa thinks it is caused by TheBus. His is the only home that the bus stops in front of to pick up passengers. (b) Vermeesch commented at a minimum, the bench should be removed. (c) Machado recommended that this issue be put on the March agenda to discuss positive solutions/alternatives. (d) Lee noted that this is a safety issue. (e) Vice Chair Luersen suggested calling TheBus Company and inquiring about moving TheBus stop to the Kahuku side of Pulama Road. (f) In support of public safety, Kawaguchi recommended that the Board support having ThBus stop relocated. (g) Machado moved to tabled the dicussion and volunteered to look into the matter and report to the Board at the March meeting for possible Board action. There were no objections.

#### **Residents' Concerns:**

Resident Keala Naluai raised a concern relative to a Board member possibly not living in his/her residence in the proper subdistrict. The Neighborhood Plan requires that a Board member must reside in the subdistrict that is being represented. A letter of concern was read, and will be submitted to the Board after corrections are made. She has contacted the Neighborhood Commission Office and is planning to pursue a complaint. Keala Naluai was thanked for attending the meeting.

#### **COMMITTEE PRESENTATIONS:**

**WATER CONSERVATION AND ALLOCATION – No report**

**SAFETY AND TRANSPORTATION/ENVIRONMENT –** LeVasseur reported the end of Wailehua Road has been cleared where the pyramid barge was located. Plans are to bring in a convict crew to remove the concrete block and complete the work.

Ken LeVasseur was thanked for his report.

**PARKS AND RECREATION – No report.**

**PRESERVATION OF HAWAIIAN HERITAGE – No report.**

**PLANNING –** Committee Chair Kurt Mench reported that his committee meeting regarding vacation rentals was well-attended. A draft motion was presented to enforce the existing laws on short-term rentals, which will be presented at the March meeting for Board action. Proposed resolutions 185 and 187 relates to non-conforming use for vacation rentals.

Kurt Mench was thanked for his report.

**ANNOUNCEMENTS –** Machado asked whatever happened to the Board banners that were supposed to be posted a few days before the Board meetings as an announcement. He suggested that some kind of frames be purchased to keep the banners stationary. Vermeesch will follow up.

**ADOURNMENT –** The meeting was adjourned at 9:48 p.m.

Submitted by Nola Frank, Neighborhood Assistant  
Reviewed by Vice Chair Amy Luersen and Secretary Daniel Bender